

Congress of the United States
Washington, DC 20515

September 12, 2007

The Honorable George W. Bush
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500-0004

Dear Mr. President,

For years, federal law has provided for the sharing of abandoned mine reclamation fees (AML) with the states and Indian tribes. Historically, Congress and prior administrations of both parties have imposed barriers with respect to the distribution of the full state and tribal shares. In 2006, after years of legislative efforts, Congress adopted legislation which expressly directs payments of these unappropriated amounts in seven equal annual installments beginning in fiscal year 2008. We believe Congress worked together with your Administration in a good faith effort on behalf of many states and Indian tribes for a final and rightful resolution to these unappropriated AML funds. The Wyoming Legislature passed legislation establishing for the disposition of the anticipated funds and any interest earned, clearly insuring the Wyoming Legislature's role in establishing any appropriate purposes for future expenditure as contemplated by federal law.

We continue to be troubled by reports that the Office of Surface Mining (OSM) is considering a rule that will return monies through a grant process. Such a rule would be contrary to the intention of Congress, and moreover, contrary to federal law. The long-term goal for Wyoming and its citizens has remained unchanged – to return the monies owed with no strings attached and to ensure that future monies promised to our state and others are not withheld in the future. This intention has been repeated formally and informally by Wyoming's congressional delegation, Wyoming state and local officials, and Wyoming's coal industry.

The State of Wyoming and its policymakers look forward with both concern and optimism. On one hand we are collectively disturbed by reports that OSM does not intend to return these AML funds to Wyoming and all affected states as Congress intended. To date, responses from OSM have, unfortunately, done little to alleviate those concerns. On the other hand, we are heartened by the collective progress Wyoming and other states and tribes have made in clearly establishing a multi-year process whereby

funds collected by the federal government can be returned to states and tribes for the benefit of families, citizens, and the rehabilitation of mined lands.

Given these concerns we reluctantly and respectfully request that you exercise your presidential powers and commence with the disposition of these funds in fiscal year 2008 as intended by Congress. We prevail upon your experience as Governor of Texas, our shared ideals of limited government with seamless bureaucracies, and our Western values instructing that an agreement made is an agreement honored. Collectively, we believe that the states, not the federal government, will appropriately provide for the expenditure of these funds in an open, accountable, and transparent manner.

We urge you to exercise your powers and assist the people of Wyoming and all of the other states and tribes affected by this legislation.

Sincerely,



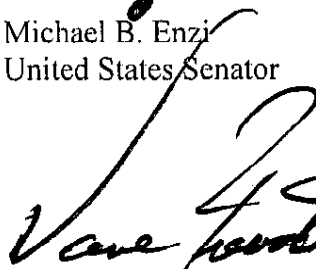
Michael B. Enzi
United States Senator



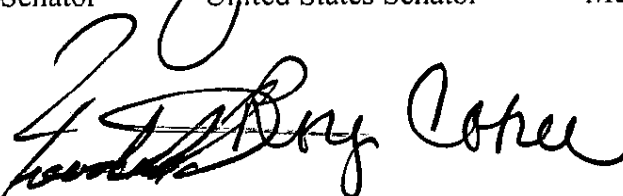
John Barrasso
United States Senator



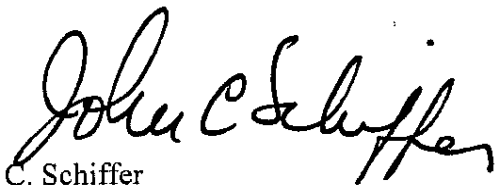
Barbara Cubin
Member of Congress



Dave Freudenthal
Governor



Roy Cohee
Speaker of the Wyoming
House of Representatives



John C. Schiffer
President of the Wyoming
Senate